

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

IN RE:	)	
	)	Case No. 24-11967-JKS
BIG LOTS, et al.	)	
	)	Chapter 11
Debtors.	)	Sub-Chapter V

**OBJECTION OF JEWELL SQUARE, RLLP TO CURE AMOUNT**

Jewell Square, RLLP, by and through its counsel, Wadsworth Garber Warner Conrardy, PC, for its Objection to Cure Amount respectfully states as follows:

1. Pursuant to the Debtors' Notice of Proposed Assumption and Assignment of Executory Contracts or Unexpired Leases and Cure Amount (Docket No. 683), the Debtors' proposed cure amount for the Jewell Square commercial real property lease is \$16,773.77.<sup>1</sup>
2. Attached hereto as Exhibit A is Jewell Square's ledger for the Debtors' commercial real estate lease, which shows the correct cure amount is \$44,289.50.
3. Except for the correction of the cure amount, Jewell Square does not object to the assumption of its lease.

WHEREFORE, Jewell Square respectfully requests the Court deny the assumption of its lease unless and until the Debtors' correct the cure amount and granting such other and further relief as this Court deems appropriate.

Dated: November 7, 2024

Respectfully submitted,

By: /s/ Aaron A. Garber  
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<sup>1</sup> The Debtor entity designated by the Debtors as the counter-party to the Jewell Square lease is Big Lots Stores – PNS, LLC.

### CERTIFICATE OF SERVICE

The undersigned certifies that on November 7, 2024, I served by ECF a copy of the **DEBTOR'S OBJECTION TO KYLE GARVIN AND ZACHARY LIVINGSTON'S MOTION FOR RELIEF FROM THE AUTOMATIC STAY** on all parties against whom relief is sought and those otherwise entitled to service pursuant to FED.R.BANKR.P. and these L.B.R. at the following addresses:

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/s/ Nichole Garber

For Wadsworth Garber Warner Conrardy P.C.

**EXHIBIT A**

**Tenant Ledger****Tenants:** Big Lots Inc.**Mobile:** (614) 278-3353**Unit:** 7777**Property:** Jewell Square - 7777, 7817-7893 W Jewell Ave. Lakewood, CO 80232**Status:** Current**Move in date:** 12/15/2021**Move out date:** --**Lease Expiration:** 01/31/2026**Rent:** 15,444.98**Deposit Paid:** 0.00

Date	Payer	Description	Charges	Payments	Balance
Starting Balance					0.00
01/01/2022		Rent Income - January 2022 - Rent Income	15,444.98		15,444.98
01/01/2022		CAM Income - January 2022 - CAM	1,562.68		17,007.66
01/19/2022	Big Lots Inc.	Payment (Reference #ACH) 01/2022 - rent		16,652.98	354.68
01/20/2022		CAM Income - CAM Income Adjustment - tenant should be paying \$1208/month	-354.68		0.00
01/26/2022		CAM Admin - CAM Admin fee from January	141.03		141.03
01/31/2022	Big Lots Inc.	Payment (Reference #ACH) 02/2022 - rent		16,652.98	-16,511.95
02/01/2022		Rent Income - February 2022 - Rent Income	15,444.98		-1,066.97
02/01/2022		CAM Income - February 2022 - CAM	1,208.00		141.03
02/01/2022		CAM Admin - February 2022 - CAM Admin Fee	141.03		282.06
02/16/2022		CAM Income - Big Lots 2021 Taxes PR Share	47,923.22		48,205.28
02/28/2022	Big Lots Inc.	Payment (Reference #ACH) 03/2022 - rent		16,652.98	31,552.30
03/01/2022		Rent Income - March 2022 - Rent Income	15,444.98		46,997.28
03/01/2022		CAM Income - March 2022 - CAM	1,208.00		48,205.28
03/01/2022		CAM Admin - March 2022 - CAM Admin Fee	141.03		48,346.31
03/28/2022	Big Lots Inc.	Payment (Reference #ACH) 03		47,923.22	423.09
04/01/2022		Rent Income - April 2022 - Rent Income	15,444.98		15,868.07
04/01/2022		CAM Income - April 2022 - CAM	1,208.00		17,076.07
04/01/2022		CAM Admin - April 2022 - CAM Admin Fee	141.03		17,217.10
04/04/2022	Big Lots Inc.	Payment (Reference #ACH) 04/2022 - rent		16,652.98	564.12
05/01/2022		Rent Income - May 2022 - Rent Income	15,444.98		16,009.10
05/01/2022		CAM Income - May 2022 - CAM	1,208.00		17,217.10
05/01/2022		CAM Admin - May 2022 - CAM Admin Fee	141.03		17,358.13
05/02/2022	Big Lots Inc.	Payment (Reference #ACH) 05/2022 - rent		16,652.98	705.15
05/31/2022	Big Lots Inc.	Payment (Reference #ACH) 05/2022 - rent		16,652.98	-15,947.83
06/01/2022		Rent Income - June 2022 - Rent Income	15,444.98		-502.85
06/01/2022		CAM Income - June 2022 - CAM	1,208.00		705.15
06/01/2022		CAM Admin - June 2022 - CAM Admin Fee	141.03		846.18
06/27/2022	Big Lots Inc.	Payment (Reference #ACH) 06/2022 - rent		16,652.98	-15,806.80
07/01/2022		Rent Income - July 2022 - Rent Income	15,444.98		-361.82
07/01/2022		CAM Income - July 2022 - CAM	1,208.00		846.18
07/01/2022		CAM Admin - July 2022 - CAM Admin Fee	141.03		987.21
07/27/2022		CAM Admin - Incorrect charge since 1/2022- admin fee is included in admin income	-987.21		0.00
08/01/2022		Rent Income - August 2022 - Rent Income	15,444.98		15,444.98
08/01/2022		CAM Income - August 2022 - CAM	1,208.00		16,652.98

**Tenant Ledger**

Date	Payer	Description	Charges	Payments	Balance
08/01/2022	Big Lots Inc.	Payment (Reference #ACH) 08/2022 - rent		16,652.98	0.00
08/29/2022	Big Lots Inc.	Payment (Reference #ACH) 09/2022 - rent		16,652.98	-16,652.98
09/01/2022		Rent Income - September 2022 - Rent Income	15,444.98		-1,208.00
09/01/2022		CAM Income - September 2022 - CAM	1,208.00		0.00
09/26/2022	Big Lots Inc.	Payment (Reference #ACH) 10/2022 - rent		16,652.98	-16,652.98
10/01/2022		Rent Income - October 2022 - Rent Income	15,444.98		-1,208.00
10/01/2022		CAM Income - October 2022 - CAM	1,208.00		0.00
10/31/2022	Big Lots Inc.	Payment (Reference #ACH) 11/2022 - rent		16,652.98	-16,652.98
11/01/2022		Rent Income - November 2022 - Rent Income	15,444.98		-1,208.00
11/01/2022		CAM Income - November 2022 - CAM	1,208.00		0.00
11/28/2022	Big Lots Inc.	Payment (Reference #ACH) 12/2022 - rent		16,652.98	-16,652.98
12/01/2022		Rent Income - December 2022 - Rent Income	15,444.98		-1,208.00
12/01/2022		CAM Income - December 2022 - CAM	1,208.00		0.00
12/27/2022	Big Lots Inc.	Payment (Reference #ACH) 12/2022 - rent		16,652.98	-16,652.98
01/01/2023		Rent Income - January 2023 - Rent Income	15,444.98		-1,208.00
01/01/2023		CAM Income - January 2023 - CAM	1,208.00		0.00
01/30/2023	Big Lots Inc.	Payment (Reference #ACH) 02/2023 - rent		16,652.98	-16,652.98
02/01/2023		Rent Income - February 2023 - Rent Income	15,444.98		-1,208.00
02/01/2023		CAM Income - February 2023 - CAM	1,208.00		0.00
02/27/2023	Big Lots Inc.	Payment (Reference #ACH) 03/2023 - rent		16,652.98	-16,652.98
03/01/2023		Rent Income - March 2023 - Rent Income	15,444.98		-1,208.00
03/01/2023		CAM Income - March 2023 - CAM	1,208.00		0.00
03/27/2023	Big Lots Inc.	Payment (Reference #ACH) 04/2022 - rent		16,652.98	-16,652.98
04/01/2023		Rent Income - April 2023 - Rent Income	15,444.98		-1,208.00
04/01/2023		CAM Income - April 2023 - CAM	1,208.00		0.00
05/01/2023		Rent Income - May 2023 - Rent Income	15,444.98		15,444.98
05/01/2023		CAM Income - May 2023 - CAM	1,208.00		16,652.98
05/01/2023	Big Lots Inc.	Payment (Reference #ACH) 05/2022 - rent		16,652.98	0.00
05/30/2023	Big Lots Inc.	Payment (Reference #ACH) 06/2022 - rent		16,652.98	-16,652.98
06/01/2023		Rent Income - June 2023 - Rent Income	15,444.98		-1,208.00
06/01/2023		CAM Income - June 2023 - CAM	1,208.00		0.00
06/05/2023		Additional CAM Income - 2022 Tax Reimbursement	61,021.07		61,021.07
06/21/2023		CAM Income - - updated 2023 CAM (see attachments for documentation)	1,328.79		62,349.86
06/26/2023	Big Lots Inc.	Payment (Reference #Put this amount to the oldest invoice open Additional CAM 2022)		16,652.98	45,696.88
07/01/2023		Rent Income - July 2023 - Rent Income	15,444.98		61,141.86
07/31/2023	Big Lots Inc.	Payment Big Lots		72,848.35	-11,706.49
08/01/2023		Rent Income - August 2023 - Rent Income	15,444.98		3,738.49
08/01/2023		CAM Income - August 2023	1,328.79		5,067.28
08/28/2023	Big Lots Inc.	Payment (Reference #ACH) September Rent		16,713.37	-11,646.09
09/01/2023		Rent Income - September 2023 - Rent Income	15,444.98		3,798.89
09/01/2023		CAM Income - September 2023	1,328.79		5,127.68
09/25/2023	Big Lots Inc.	Payment		16,713.37	-11,585.69
10/01/2023		Rent Income - October 2023 - Rent Income	15,444.98		3,859.29
10/01/2023		CAM Income - October 2023	1,328.79		5,188.08
10/30/2023	Big Lots Inc.	Payment (Reference #ACH) November Rent		16,713.37	-11,525.29

**Tenant Ledger**

Date	Payer	Description	Charges	Payments	Balance
11/01/2023		Rent Income - November 2023 - Rent Income	15,444.98		3,919.69
11/01/2023		CAM Income - November 2023	1,328.79		5,248.48
11/27/2023	Big Lots Inc.	Payment (Reference #ACH) Big Lots - December rent & August partial CAM		16,713.33	-11,464.85
12/01/2023		Rent Income - December 2023 - Rent Income	15,444.98		3,980.13
12/01/2023		CAM Income - December 2023	1,328.79		5,308.92
12/26/2023	Big Lots Inc.	Payment (Reference #ACH) Big Lots - 08,09,10,11,12 CAM + 01/24 partial rent		16,773.77	-11,464.85
01/01/2024		Rent Income - January 2024 - Rent Income	15,444.98		3,980.13
01/01/2024		CAM Income - January 2024	1,328.79		5,308.92
02/01/2024		Rent Income - February 2024 - Rent Income	15,444.98		20,753.90
02/01/2024		CAM Income - February 2024	1,328.79		22,082.69
02/05/2024	Big Lots Inc.	Payment (Reference #ACH) Big Lots - January 2024 rent & CAM, February 2024 partial rent		16,773.77	5,308.92
03/01/2024		Rent Income - March 2024 - Rent Income	15,444.98		20,753.90
03/01/2024		CAM Income - March 2024	1,328.79		22,082.69
03/04/2024	Big Lots Inc.	Payment (Reference #ACH) Big Lots - February rent & CAM, March partial rent		16,773.77	5,308.92
04/01/2024		CAM Income - Overcharge for CAM of \$60.39 - CAM charge should have been \$1268.39	-603.99		4,704.93
04/01/2024		Rent Income - April 2024 - Rent Income	15,444.98		20,149.91
04/01/2024		CAM Income - April 2024	1,328.79		21,478.70
04/04/2024	Big Lots Inc.	Payment (Reference #ACH) Big Lots - March rent & CAM, April partial rent		16,773.77	4,704.93
04/25/2024		Additional CAM Income - 2023 CAM Reconciliation Balance Due	18,308.47		23,013.40
05/01/2024		Rent Income - May 2024 - Rent Income	15,444.98		38,458.38
05/01/2024		CAM Income - May 2024	3,284.08		41,742.46
05/06/2024	Big Lots Inc.	Payment (Reference #ACH) Big Lots - April CAM & May partial rent		16,773.77	24,968.69
05/20/2024	Big Lots Inc.	Payment (Reference #ACH) May 2024 Rent & partial 2023 CAM Reconciliation		9,184.70	15,783.99
06/01/2024		Rent Income - June 2024 - Rent Income	15,444.98		31,228.97
06/01/2024		CAM Income - June 2024	3,284.08		34,513.05
06/03/2024	Big Lots Inc.	Payment (Reference #ACH) Big Lots		16,773.77	17,739.28
07/01/2024		Rent Income - July 2024 - Rent Income	15,444.98		33,184.26
07/01/2024		CAM Income - July 2024	3,284.08		36,468.34
07/05/2024	Big Lots Inc.	Payment (Reference #ACH) Big Lots		16,773.77	19,694.57
08/01/2024		Rent Income - August 2024 - Rent Income	15,444.98		35,139.55
08/01/2024		CAM Income - August 2024	3,284.08		38,423.63
08/05/2024	Big Lots Inc.	Payment (Reference #ACH) Big Lots		16,773.77	21,649.86
09/01/2024		Rent Income - September 2024 - Rent Income	15,444.98		37,094.84
09/01/2024		CAM Income - September 2024	3,284.08		40,378.92
10/01/2024		Rent Income - October 2024 - Rent Income	15,444.98		55,823.90
10/01/2024		CAM Income - October 2024	3,284.08		59,107.98
10/02/2024	Big Lots Inc.	Payment Big Lots		16,773.77	42,334.21
11/01/2024		Rent Income - November 2024 - Rent Income	15,444.98		57,779.19
11/01/2024		CAM Income - November 2024	3,284.08		61,063.27
11/05/2024	Big Lots Inc.	Payment Big Lots		16,773.77	44,289.50

**Tenant Ledger**

Date	Payer	Description	Charges	Payments	Balance
Total					44,289.50